

Exhibit No. 2Date 3-16-07**RESOLUTION 2006-04**Bill No. HB-206**MILL LEVY ELECTIONS**

It is the intent of the Montana Association of Counties to amend 15-10-425 MCA to provide that a levy election may request voter approval for either: (1) the specific amount to be raised and an approximate number of mills to be levied; or (2) the specific number of mills to be levied and an approximate amount to be raised, and that if a voter authorized levy is not levied in any year, future levy authority is not lost.

WHEREAS, current law, as set forth in Section 15-10-425 MCA, establishes the requirements for a question to be placed before the voters of a taxing jurisdiction to exceed the mill levy limitation in Section 15-10-420 MCA and;

WHEREAS, Section 15-10-425 MCA requires the question to be placed before the voter as a specific amount being an approximate number of mills, and;

WHEREAS, for many years taxing jurisdictions placed increases in tax authority before the voters in terms of specific mills, and;

WHEREAS, MACo believes the taxing jurisdiction should have the option of asking for either a specific amount or a specific number of mills, and;

WHEREAS, current law is not clear that should any voter-authorized levy not be needed in any year, the taxing jurisdiction may choose to not levy the voted amount, without losing the authority in future years.

NOW, THEREFORE, BE IT RESOLVED that the Montana Association of Counties seek legislation to allow taxing jurisdictions to place a tax increase before the voter either as a specific amount and approximate number of mills, or a specific number of mills and approximate amount.

BE IT FURTHER RESOLVED, that the legislation should also provide the flexibility to not levy the full amount in any year without losing the authority in subsequent years.

SPONSOR: MACo Resolutions Committee

RECOMMENDATION: Do Pass

PRIORITY: High

REFERRED TO: MACo Taxation, Finance & Budget Committee (with recommended changes/additions below)

ADOPTED: Annual Conference, Bozeman, MT
September 27, 2006